

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

IN RE: CHRISTOPHER DWYANE PRICE

Debtor(s)

Case No. 3:23-bk-31729-SHB
Chapter 13
Filed 09/29/2023
Confirmed 10/31/2023

NOTICE

Notice is hereby given that:

A hearing will be held on the Chapter 13 Trustee's Motion to Dismiss on **September 11th, 2024 at 11:00 a.m.**, in the Courtroom 1C, located at U.S. Bankruptcy Court, Howard H. Baker, Jr. Courthouse, 800 Market St., Knoxville, TN. 37902.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

TRUSTEE'S MOTION TO DISMISS

The Chapter 13 Trustee moves to dismiss this case under 11 U.S.C. §1307(c) for the following reason(s):

The confirmed plan provides for plan payments in the amount of \$275.00 weekly by payroll deduction for a period of 60 months. No payments were made to the Trustee from February 22nd, 2024 to April 8th, 2024.

Debtor(s) is in material default of the confirmed plan by accruing a plan arrearage in the amount of \$3,096.68 since the plan was filed. The plan is no longer feasible and the secured creditors are behind due to the plan arrearages.

The confirmed plan provides for the Debtor to supply the Trustee with a copy of each federal income tax return filed by the Debtor during the pendency of the case and every request for extension of time to file a return, within 14 days of the filing of the return or the mailing of the request.

Debtor(s) is in material default of the confirmed plan by not supplying the Chapter 13 Trustee with a copy of the 2023 tax return and/or request for an extension and failure to pay the 2023 tax refund (if any) into the plan.

SUBMISSION AND CERTIFICATE OF SERVICE BY CHAPTER 13 TRUSTEE

Based on information and belief, the Chapter 13 Trustee hereby certifies the correctness of the facts contained in this Motion to Dismiss and Notice of Hearing and hereby certifies that a true and exact copy of the same has been serviced by Electronic Case Filing (ECF) and/or first class United States Mail (USM) postage prepaid on the following individuals as addressed below on August 19, 2024.


s/Debra L. Miller, Trustee
DEBRA L. MILLER, #19656-49 IN
Standing Chapter 13 Trustee
304 Erin Drive, Suite 201
Knoxville, TN 37919
(865) 524-4995

CHRISTOPHER DWYANE PRICE, Debtor(s) (USM)
757 ANDREW WAY
MARYVILLE, TN. 37801

JOSEPH D. MCREYNOLDS (ECF)
Attorney(s) at Law
Debtor(s) Attorney

Tiffany Dilorio (ECF)
U.S. Trustee's Office